

UNITED STATES BANKRUPTCY COURT District of New Jersey
Albert Russo Cn 4853 Trenton, NJ 08650 (609) 587-6888 Standing Chapter 13 Trustee
In re: Luis Garro Debtor(s)



Order Filed on December 1, 2020
by Clerk
U.S. Bankruptcy Court
District of New Jersey

Case No.: 19-16714 / CMG

Hearing Date: 11/18/2020

Judge: Christine M. Gravelle

Chapter: 13

ORDER CONFIRMING MODIFIED CHAPTER 13 PLAN

The relief set forth on the following pages, numbered two (2) through four (4) is **ORDERED**.

DATED: December 1, 2020


Honorable Christine M. Gravelle
United States Bankruptcy Judge

The modified plan of the debtor having been proposed to creditors, and a hearing having been held on the confirmation of such modified plan, and it appearing that the applicable provisions of the Bankruptcy Code have been complied with; and for good cause shown, it is

ORDERED that the modified plan of the above named debtor, dated 10/04/2020, or the last amended plan of the debtor be and it is hereby confirmed. The Standing Trustee shall make payments in accordance with 11 U.S.C. § 1326 with funds received from the debtor.

ORDERED that the plan of the debtor is confirmed to pay the Standing Trustee for a period of 60 months.

ORDERED that the debtor shall pay the Standing Trustee, Albert Russo, based upon the following schedule, which payments shall include commission and expenses of the Standing Trustee in accordance with 28 U.S.C. § 586:

\$17,007.00 PAID TO DATE

\$707.00 for 42 months beginning 11/01/2020

ORDERED that the case is confirmed with a calculated plan funding of \$46,701.00. General unsecured creditors are scheduled to receive a pro-rata dividend of funds available.

ORDERED that the Standing Trustee shall be authorized to submit, ex-parte, an Amended Confirming Order, if required, subsequent to the passage of the claims bar date(s) provided under Fed. R. Bank. P. 3002.

ORDERED that the debtor's attorney be and hereby is allowed a fee pursuant to the filed 2016(b) Statement. Any unpaid balance of the allowed fee shall be paid to said attorney through the Chapter 13 plan by the Standing Trustee.

ORDERED that if the debtor should fail to make plan payments or fail to comply with other plan provisions for a period of more than 30 days, the Standing Trustee may file, with the Court and serve upon the Debtor and Debtor's Counsel, a Certification of Non-Receipt of Payment and request that the debtor's case be dismissed. The debtor shall have fourteen (14) days within which to file with the Court and serve upon the Trustee a written objection to such Certification.

ORDERED that to the extent Section 7 of the debtor's plan contains motions to avoid judicial liens under 11 U.S.C. § 522(f) and/or to avoid liens and reclassify claims in whole or in part, such motions are hereby granted, except as specified below:

NO EXCEPTIONS

ORDERED that upon completion of the plan, affected secured creditors shall take all steps necessary to remove of record any lien or portion of any lien discharged.

ORDERED that the Standing Trustee is not authorized to pay post-petition claims filed pursuant to 11 U.S.C. § 1305(a).

ORDERED that the debtor(s) is to complete a sale or refinance of property located at 325 Theirmax Terrace by April 30, 2021, and any non-exempt proceeds of said sale or refinance shall be paid to the Trustee for the benefit of creditors.

- Creditor Wells Fargo Bank, PACER claim #4-1, shall not be paid through the Chapter 13 Plan; creditor will be paid in full outside the Chapter 13 Plan from the sale or refinance.

ORDERED that if the debtor has provided for a creditor to be paid in the plan and no Proof of Claim is filed by such creditor before expiration of the applicable bar date, the debtor, pursuant to F.R.B.P. 3004, must file a Proof of Claim on behalf of the creditor within 30 days of the expiration of the applicable bar date. If the time period pursuant to F.R.B.P. 3004 has expired, the debtor must file a Proof of Claim on behalf of the creditor and file a motion to allow the Trustee to pay the late filed claim, or the debtor may obtain a Consent Order with the creditor authorizing the Trustee to pay an amount certain in the plan.

ORDERED that, notwithstanding the order of distribution set forth in the plan, the Trustee disbursements shall be made pursuant to the following order of distribution: administrative claims, secured claims, priority claims, general unsecured claims.

ORDERED as follows:

In addition to the payments set forth above, the Trustee shall receive any non-exempt proceeds from the sale of 325 Theirmarx Terrace.

In re:
Luis Garro
Debtor(s)

Case No. 19-16714-CMG
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-3
Date Rcvd: Dec 01, 2020

User: admin
Form ID: pdf903

Page 1 of 2
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Dec 03, 2020:

Recip ID	Recipient Name and Address
db	+ Luis Garro, 325 Thiemarx Terrace, Skillman, NJ 08558-2633

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Dec 03, 2020

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on December 1, 2020 at the address(es) listed below:

Name	Email Address
Albert Russo	docs@russotrustee.com
Albert Russo	on behalf of Trustee Albert Russo docs@russotrustee.com
Aleisha Candace Jennings	on behalf of Creditor Wells Fargo Bank National Association ajennings@rasflaw.com
Candyce Ilene Smith-Sklar	on behalf of Debtor Luis Garro mail@njpalaw.com r56958@notify.bestcase.com
Denise E. Carlon	on behalf of Creditor WELLS FARGO BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR SECURITIZED ASSET BACKED RECEIVABLES LLC TRUST 2005-FR4 MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2005-FR4 dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com

District/off: 0312-3

User: admin

Page 2 of 2

Date Rcvd: Dec 01, 2020

Form ID: pdf903

Total Noticed: 1

Kevin Gordon McDonald

on behalf of Creditor WELLS FARGO BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR SECURITIZED ASSET
BACKED RECEIVABLES LLC TRUST 2005-FR4 MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2005-FR4
kmcDonald@kmlawgroup.com, bkgroup@kmlawgroup.com

Shauna M Deluca

on behalf of Creditor WELLS FARGO BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR SECURITIZED ASSET
BACKED RECEIVABLES LLC TRUST 2005-FR4 MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2005-FR4
sdeluca@rasflaw.com

Sindi Mncina

on behalf of Creditor Wells Fargo Bank National Association smncina@rascrane.com

U.S. Trustee

USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 9